

Message Text

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SUBJ: QUEBEC PASSES ENABLING LEGISLATION FOR REFERENDUM

1. QUEBEC'S NATIONAL ASSEMBLY PASSED ITS REFERENDUM LEGISLATION, BILL 92, IN THE SMALL HOURS OF THE MORNING JUNE 23. IT WAS THE LAST BILL PASSED BEFORE THE ASSEMBLY RECESSED UNTIL NEXT FALL. THE FINAL VOTE WAS 59-17, WITH THE PARTI QUEBECOIS AND INDEPENDENT FABIEN ROY VOTING IN FAVOR AND THE LIBERALS AGAINST. THE UNION NATIONALE WAS SPLIT, WITH MEMBERS VOTING BOTH FOR AND AGAINST.

2. THE BILL AS PASSED DID NOT DIFFER MARKEDLY FROM THE VERSION INTRODUCED LAST DECEMBER (SEE 77 QUEBEC 0320 AND 0481), DESPITE TWO MONTHS OF STRENUOUS DEBATE IN PARLIAMENTARY COMMITTEE. THE LIBERALS STRONGLY ATTACKED THE PROVISIONS OF THE BILL REQUIRING THE ESTABLISHMENT OF "UMBRELLA" COMMITTEES, AND ATTEMPTED TO EASE THE BILL'S CAMPAIGN FINANCING PROVISIONS. THEY ALSO OPPOSED THE NOTION OF A GENERAL REFERENDUM ENABLING LAW, ON THE GROUNDS THAT EVERYONE KNEW SOVEREIGNTY-ASSOCIATION WAS THE REAL REFERENDUM ISSUE AND THE LAW SHOULD BE LIMITED TO THAT ESSENTIAL TOPIC, AS WAS THE BRITISH COMMON MARKET

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REFERENDUM LAW UPON WHICH QUEBEC'S LAW IS SUPPOSEDLY BASED. THE GOQ TURNED BACK ALL CHALLENGES, AS WELL AS AN AMENDMENT WHICH WOULD HAVE REQUIRED THE GOVERNMENT TO DEFINE ITS SOVEREIGNTY-ASSOCIATION OPTION AT LEAST THREE MONTHS PRIOR TO THE REFERENDUM CAMPAIGN. IN RESPONSE TO CRITICISM FROM THE QUEBEC HUMAN RIGHTS COMMISSION, WHICH TERMED ASPECTS OF THE UMBRELLA COMMITTEE REQUIREMENT UNNECESSARILY RESTRICTIVE OF FREE SPEECH, THE GOVERN-

MENT DID MODIFY THE BILL SLIGHTLY TO PERMIT GROUPS WHICH SUPPORT A CERTAIN OPTION BUT DO NOT WISH TO JOIN AN UMBRELLA GROUP TO OBTAIN "AFFILIATE" STATUS WITH THE UMBRELLA COMMITTEE. THE COMMITTEE WOULD STILL CONTROL THE CAMPAIGN EXPENDITURES OF "AFFILIATE" GROUPS.

3. COMMENT: ALTHOUGH THE LIBERALS MOUNTED A SPIRITED CAMPAIGN IN PARLIAMENTARY COMMITTEE, AND GOT THEIR OBJECTIONS TO CERTAIN ASPECTS OF THE LEGISLATION FIRMLY ON THE RECORD, IT IS CLEAR THAT THEY DID NOT INTEND TO BLOCK OR UNDULY RETARD PASSGE OF THE BILL. THEY OFFERED A MULTITUDE OF AMENDMENTS BUT DID NOT FILIBUSTER, AND COULD EASILY HAVE PREVENTED PASSAGE IN THE FINAL HECTIC DAYS OF THE CURRENT ASSEMBLY SESSION HAD THEY WANTED TO. IN FACT, THE LIBERALS GAVE THEIR DISCREET ASSENT TO BRINGING THE BILL TO A VOTE IN THIRD READING WITHOUT THE OBLIGATORY THREE DAY WAITING PERIOD AFTER SECOND READING, ALL THE WHILE PUBLICLY FULMINATING AGAINST THE BILL ON THE ASSEMBLY FLOOR. THE LIBERALS, WHO CAN READ THE POLLS AS WELL AS ANYBODY, ARE CONVINCED THAT NO REFERENDUM WHICH POSES A CLEAR QUESTION CAN PASS. THEREFORE, THEY ARE DETERMINED TO ENSURE THAT THE PQ STICKS TO ITS PROMISE TO HOLD A REFERENDUM DURING ITS CURRENT TERM OF OFFICE. AT THE SAME TIME, THEY WISH TO CREATE THE IMPRESSION THAT THE PQ IS UNDULY AUTHORITARIAN AND REFERENDUM LEGISLATION IS BEING RIGGED IN FAVOR OF THE PQ-PREFERRED OPTION.
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